

10/511,982

P-2552

REPLY

The Examiner rejected claims 43-49 under 35 USC §112, first paragraph, as not being enabling for a dispersible substance impregnated within the inner main body. However, the Examiner indicated that the specification was enabling for the deformable main body filled with a dispersible substance with the substance being released during use through small passages provided in the main body. Alternatively, the deformable main body can be impregnated with the dispersible substance.

The Examiner rejected claims 43 - (Sic.) 49 under 35 USC §102(b) as being anticipated by Drulias et al.

However, the Examiner provided a statement of reasons for the indication of allowable subject matter indicating a first suggestion to recite, "through small passages provided into said main body with a deformable main body 2 being impregnated with said dispersible substance with in said passages wherein the structure of passages in the body in combination with the bristles doughnut shape with a through hole for the tongue"; and suggestion 2 to add the clause, "wherein said main body has small through passages extending from an inside cavity with with (sic.) said impregnated dispersible substance which is pressure released into the bristles".

10/511,982

P-2552

Drulias et al discloses a toothbrush utilizing a brushing element mounted on a sheath that fits over the tip of a user's finger. The bristle base 16 and collar 34 are pressed against the outer surface of the sheath 12 until the adhesive layer 25 cures. Accordingly the collar 34, which may be impregnated with a dentifrice such as toothpaste or tooth powder, is placed on the outside surface of the sheath 12.

An effort has been made to amend the claims so as to obviate the Examiner's rejection under 35 USC §112, first paragraph, and to incorporate the substance of the language of the indication of allowable subject matter suggested by the Examiner.

Independent claim 43 has been amended to recite a dispersible substance, wherein said inner main body is impregnated with said dispersible substance. Amended claim 43 accordingly uses the language from the specification that the Examiner indicated is enabling, specifically that the deformable main body 2 can be impregnated with said dispersible substance. Amended claim 43 should be allowable and is not anticipated by Drulias et al. Drulias et al does not disclose an inner main body that is impregnated with the dispersible substance. The absorbent collar 34 disclosed in Drulias et al is placed on the outer surface of the sheath 12 and not within an inner main body.

Independent claims 46 and 49 have been amended to include the substance of the language indicated by the Examiner as

10/511,982

P-2552

allowable subject matter. Independent claim 46 recites an inner body having a doughnut shape with a through hole in an inner cylindrical surface, wherein the through hole is adapted to engage the human tongue in combination with a dispersible substance filled within said inner main body, wherein said dispersible substance is released through passages provided in said inner main body. This language in amended claim 46 incorporates the language suggested by the Examiner as indicating allowable subject matter. Therefore amended independent claim 46 should be allowable.

Independent claim 49 has been similarly amended to recite a dispersible substance filled within said elongated main body, wherein said dispersible substance is released through passages provided in said elongated main body. Therefore amended independent claim 49 should also be allowable.

Support for the amendments to claims 43, 46 and 49 can be found on page 9 of the application as filed.

Claims 44 and 45 have been amended to more properly indicate their dependence on independent claim 43.

Dependent claim 44 recites the additional limitation that the engaging means comprises a through hole. Drulias et al does not disclose a tooth cleaning device that has a through hole that could be used as an engaging means for engaging a human tongue. Therefore, claim 44 should additionally be allowable.

10/511,982

P-2552

The claims, having been amended to recite more specific language from the specification and having also been amended to include the subject matter indicated by the Examiner as being allowable, should now be in condition for allowance.

Therefore, it is respectfully requested that the Examiner reconsider the present application, indicate allowance, and forward the Notice of Allowability.

Respectfully submitted,



Paul A. Fattibene
Reg. No. 31,694

2480 Post Road
Southport, CT 06890
Tel. 203-255-4400
Fax 203-259-0033

July 21, 2010